



FINAL REPORT - DRAFT

State Prison System Planning Study Committee

December 2007

MEMBERS

Senator Eugene S. Fraise, Co-chairperson
Senator Jeff Angelo
Senator Thomas G. Courtney
Senator Tom Hancock
Senator Paul McKinley

Representative Todd Taylor, Co-chairperson
Representative Wayne Ford
Representative Steve Lukan
Representative Dave Tjepkes
Representative Beth Wessel-Kroeschell

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AUTHORIZATION AND APPOINTMENT

In June 2007 the Legislative Council established the State Prison System Planning Study Committee pursuant to a request contained in 2006 Iowa Acts, H.F. 2782 (ch. 179, § 1). The 10-member Committee was charged to consider the recommendations and proposals generated by the state prison system study and planning addressed by the Department of Corrections and Board of Corrections.

The Committee was authorized to hold two meetings and met at the Iowa State Penitentiary in Ft. Madison on September 19, 2007, and the Iowa Correctional Institution for Women in Mitchellville on October 10, 2007. The Committee was authorized for one additional meeting in the 2007 Legislative Interim and met at the Statehouse on November 14, 2007.



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I. September 19, 2007, Meeting

A. Overview. The first meeting of the Committee consisted of receiving testimony from the Department of Corrections (DOC), Local 2989 of the American Federation of State and County Municipal Employees (AFSCME), and a tour of the Iowa State Penitentiary (ISP) in Ft. Madison. The Durrant Group, Inc. (Durrant Group) is also currently conducting a comprehensive study of DOC.

B. Director of the Department of Corrections. Mr. John Baldwin, Director of DOC, informed the Committee that the Board of Corrections approved Option #1 of the Durrant Group's recommendations for ISP. Option #1 includes closing the parts of the current ISP within the walls and constructing a new ISP on farm #1 in Ft. Madison. Under Option #1, the clinical care unit (CCU) and the John Bennett Unit would continue to operate at existing locations. Under this option, the new ISP would be an 800-bed facility on farm #1, but the number of beds actually constructed could be less than 800. The board also recommended expanding the Iowa Correctional Institution for Women (ICIW) in Mitchellville and expanding community-based corrections (CBC) facilities in the 1st, 3rd, 5th, and 8th Judicial Districts.

Representative Ford asked about Iowa's #1 ranking for the highest incarceration rate of African-Americans. Mr. Baldwin replied that data is now available to help officials in determining whether offenders are serving the same amount of time for the same offense. He also emphasized that expanding early childhood education and increasing the use of CBC facilities are essential strategies to reduce Iowa's incarceration rate of African-Americans.

C. AFSCME Comment. Mr. Dan Homan, President of AFSCME Iowa Council 61, stated staffing levels need to be increased at ISP to prevent future escapes. AFSCME is opposed to the Board of Corrections' recommendation adopting the Durrant Group's Option #1. He emphasized it is shortsighted to close the current cell houses within the walls of ISP because more bed space is needed.

Representative Lukan asked if it is helpful to use dogs in a prison. Mr. Homan responded that dogs have a purpose in prison and he is not opposed to using dogs. However, he emphasized dogs are incapable of finding shanks and other improvised weapons and probably cannot be used at ICIW. Co-chairperson Fraise commented that dogs have a place in a prison setting, especially when it comes to controlling a group of inmates or if an inmate has a weapon. Representative Lukan also asked if it is a good idea to add a security director position at DOC. Mr. Homan replied that a security director would make security procedures more consistent throughout DOC.

Representative Tjepkes asked if constructing a new prison in Ft. Madison is an efficient use of taxpayer dollars. Mr. Homan replied that Iowa has institutions spread throughout the state and everything cannot be placed in the Des Moines area.

D. Tour. The persons attending the meeting were split into four tour groups. Co-chairperson Taylor commented that it is important to discuss the prison with the frontline personnel who operate the prison on a day-to-day basis. The tour consisted of a visit to and discussions about the CCU, the Industries Building, the kitchen, and the cell houses within the walls of ISP. The Industries Building, the kitchen, and the cell houses are all slated for closure under Option #1 adopted by the Board of Corrections. The tour concluded with a visit to farm #1 to view the proposed construction site of the new ISP. Mr. Brad Hier, Public Service Executive with DOC,



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stated the proposed site consists of 40 acres and currently has electrical, sewer, and water hookups.

II. October 10, 2007, Meeting

A. Overview. The second meeting of the Committee consisted of receiving testimony from DOC, Durrant Group, Local 451 of AFSCME, and a tour of ICIW in Mitchellville.

B. Department of Corrections. Mr. Baldwin stated there are currently 427 inmates who have been paroled or placed on work release but remain in prison until a bed becomes available at a CBC facility. He noted the expansion proposed by the Board of Corrections of the 1st, 3rd, 5th, and 8th Judicial Districts is strategic in that it is designed to alleviate the backlog of inmates transitioning from prison to a CBC facility. He further noted the proposal to expand the 5th Judicial District facility is not related to the Des Moines Zoo expansion. He commented that the Durrant Group has done an outstanding job thus far in evaluating the needs of DOC. He stated the Durrant Group, consultant for the DOC study, has focused on infrastructure, treatment, and classification.

C. DOC Discussion. Co-chairperson Fraise asked if the state owns the CBC facilities. Mr. Baldwin replied that the state funds the construction and ongoing maintenance needs of buildings, but the district owns the buildings. Representative Tjepkes asked why there are nine correctional institutions. Mr. Baldwin replied that in the past each institution was limited to 750 inmates in order to achieve optimal efficiency, but the 750 number is open to debate. Senator McKinley asked about the reading level for offenders at ICIW. DOC distributed a document noting the average reading level for an offender at ICIW is approximately the 10th grade. Co-chairperson Fraise inquired about the racial makeup of the offenders at ICIW. DOC responded that approximately 22 percent of the offenders are African-American.

D. Durrant Group, Inc. Mr. Mike Lewis, Durrant Group, commented that it is important to adapt the architecture to the operating policy of DOC. He further commented the operating policy should include an updated classification system, continuity of care, and be gender-specific. Mr. Curtiss Pulitzer, Pulitzer-Bogard & Associates, stated that gender matters when determining appropriate treatment options for offenders. He also stated there is no infirmary for sick persons at ICIW. Ms. Judy Regina-Whiteley, Durrant Group, stated 60 percent of offenders at ICIW have been diagnosed with a mental illness and 51 percent have a serious substance abuse problem.

E. AFSCME Comment. Mr. Homan stated AFSCME supports the Durrant Group's recommendations for ICIW. He urged that the Committee should attempt to solve the overcrowding issue at the prisons because it is a safety issue for the public, staff, and the offenders.

F. Committee Discussion. Co-chairperson Fraise commented that a mentoring program should be established for the time offenders leave prison. Senator McKinley stated the goals of DOC should be to protect the public and to help transition offenders back into society. Co-chairperson Taylor stated education is a key component to reduce recidivism. Senator Hancock asked what occurs if the staff is unable to handle a medical emergency. DOC stated that a Mitchellville



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ambulance service will respond at a cost of about \$1,100 per event if the emergency is beyond staff expertise.

G. Tour of Facilities. The persons attending the meeting were split into several tour groups. The tour included:

- The Administration Building, which houses the gym and recreation area, classrooms, and computer room.
- Units 1 and 2, built in 1960; dorm-style.
- Units 3 and 4, which include a hospice room and library; dorm-style.
- Unit 5, built in 1933 and would be demolished under the Durrant Group plan; dorm-style.
- Units 6A and 6B, special needs unit and segregated unit; pod-style.
- Units 7 and 8, duplex building; includes live-out offenders.
- Unit 9, substance abuse treatment unit; pod-style.
- Medical building.
- Laundry.
- Dining hall.
- Visiting hall.
- Sacred place/chapel.

III. November 14, 2007, Meeting

A. Overview. The third meeting of the Committee consisted of receiving testimony from DOC; the directors of the 1st, 3rd, 5th, and 8th Judicial District Departments of Correctional Services; and the Office of the Treasurer of State. The Committee discussed and adopted recommendations.

B. Department of Corrections. Mr. Baldwin provided a status report about the study of DOC currently being conducted by the Durrant Group. The study was funded in direct response to the prison escape at ISP two years ago. The study was expanded to not only include an assessment of infrastructure needs, but classification and treatment needs as well. He emphasized that the current classification system for prisoners is static; offenders are either classified as minimum, medium, or maximum risk. He further emphasized treatment programs need to be updated to place the right offender in the right program at the right time. The Board of Corrections has approved the Durrant Group's recommendations relating to additional beds and other improvements to ICIW; a new ISP; additional beds at the Newton Correctional Facility; and additional community-based beds in the 1st, 3rd, 5th, and 8th Judicial Districts. The new prison beds requested at the Newton Correctional Facility will most likely be classified as minimum security beds. He estimated the appropriations to begin the Durrant Group's infrastructure recommendations in FY 2008-2009 at \$2-\$3 million for the community-based facilities, \$3-\$3.5 million for the institutions, and \$750,000 for a project manager.

C. Judicial District Departments of Correctional Services. The directors of the 1st, 3rd, 5th, and 8th Judicial District Departments of Correctional Services presented an overview of each district's infrastructure request. The Committee was informed that 98 offenders are awaiting a bed in the 1st Judicial District, 143 offenders are awaiting a bed in the 5th Judicial District, and 73 offenders are awaiting a bed in the 8th Judicial District. The Committee was also informed the 3rd



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Judicial District would like to establish a 12-bed intensive substance abuse treatment facility in Cherokee, Iowa.

D. Treasurer's Office. Ms. Stefanie Devin and Mr. Steve Larsen, Deputy Treasurers, Office of the Treasurer of State, estimated that in FY 2008-2009 the state would need to bond for approximately \$250 million to complete the proposed Durrant Group's infrastructure improvements. The state currently has existing debt in the amount of \$54 million. In FY 2013-2014 the annual debt service amount from the Prison Infrastructure Fund begins to decline from \$8.4 million to \$6.2 million and ends completely in FY 2015-2016. She emphasized any authorizing legislation should be flexible, identify the revenue source to pay off the bonds, cap the amount of proceeds for construction or indicate the amount of revenue to be pledged, and any bonding amount should be 110 percent of the amount estimated for the project.

E. Considerations of Recommendations. The Committee agreed upon the recommendations in Division IV of this report.

IV. Recommendations

The State Prison System Planning Study Committee adopted the following recommendations for the 2008 Session of the General Assembly:

1. Build a new Iowa State Penitentiary (ISP) in Ft. Madison on one of the prison farms at a cost of \$121.2 million.
2. Update and expand the Iowa Correctional Institution for Women (ICIW) by replacing older structures and adding beds, consolidating programs and services, and implementing gender-specific classification and programs. The cost to update and expand ICIW is approximately \$51.4 million.
3. Expand the Newton Correctional Facility to reduce overcrowding and to accommodate future growth, at a cost of approximately \$25.3 million.
4. Expand bed capacity for community-based corrections (CBC) facilities in the 1st, 3rd, 5th, and 8th Judicial Districts, at a cost of approximately \$41.5 million.
5. Limit the need for future prison bed growth by utilizing CBC facilities, diversion programs, substance abuse and mental health treatment, and education and training, and emphasizing a commitment to evidence-based practices to determine if programming is successful.
6. Direct the Department of Corrections to further explore possible future uses of buildings remaining within the walls of the current ISP.



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V. Materials Submitted to the State Prison System Planning Study Committee and on File With the Legislative Services Agency

The items listed below were distributed at or in connection with meetings and are filed with the Legislative Services Agency. The materials may be accessed from the <Additional Information> link on the Committee's Internet web page:

<http://www.legis.state.ia.us/aspx/Committees/Committee.aspx?id=214>

1. Board of Corrections – Recommendations – September 17.
2. Durrant Recommendations.
3. Contract Between DOC and Durrant.
4. DAS – RFP to Study DOC.
5. DOC Definition of Success.
6. DOC Education Budget – Current and Proposed.
7. DOC Hiring Results.
8. Mentally Ill in Prison by Race/Ethnicity.
9. Proposed Recommendations.
10. Aerial Photograph of ICIW-Mitchellville.
11. ICIW – Demographics.
12. ICIW – Education Level.
13. ICIW – Reading Level.
14. Mount Pleasant Women's Unit – Demographics.
15. Mount Pleasant Women's Unit – Education Level.
16. Mount Pleasant Women's Unit – Reading Level.
17. Background Information by Joseph McEniry.
18. LSA-Fiscal Services Division – Summary of Durrant Options – ISP-Ft. Madison.
19. LSA-Fiscal Services Division – Summary of Durrant Options – ICIW-Mitchellville.
20. Aerial Photograph of the Iowa State Penitentiary.
21. Aerial Photograph of Farm #1-Iowa State Penitentiary.
22. NCSL State Prison Construction and Renovation FY 2003-2004.
23. NCSL State Prison Construction and Renovation FY 2005-2006.
24. Designed Capacity vs. Inmate Population (July 1, 2007) – Prepared by LSA.
25. Signed document by certain members agreeing to Committee recommendations.

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